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In re Application of VARACHEZ et al.
Application No.: 10/550,693
PCT No.: PCT/FR04/50110
Int. Filing: 17 March 2004
Priority Date: 17 March 2003
Attorney Docket No.: 0540-1039
For: ADJUSTABLY BIODEGRADABLE
MATERIAL FOR A HORTICULTURAL
CONTAINER AND OVERPACKAGING FOR
CONTAINERS

DECISION ON
PETITION TO REVIVE
UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 26 September 2005 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that the "entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" meets the requirements of 37 CFR 1.137(b)(3).

A review of the application file reveals that the basic national fee was submitted on 26 September 2005 along with the instant petition. The required petition fee of \$750 was also paid. Thus, the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America. On 26 April 2006, a declaration, in compliance with 37 CFR 1.497(a) and (b), and executed by the inventors and the \$65 surcharge for filing the declaration after the thirty month period was provided.

This application is being forwarded to the United States Designated/Elected Office for further processing. The 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 26 April 2006.

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